

PS 8
(pawp 1 2005)2006 NOV 15 FILED: 22
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT

for

Western District Of Pennsylvania

U.S.A. vs. Bess Cubbage

Docket No. 0315 2:05CR00306-001

Petition for Action on Conditions of Pretrial Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct of defendant Bess Cubbage, who was placed under pretrial release supervision by the Honorable Amy R. Hay sitting in the COURT at Pittsburgh, PA, on the 20th day of October, 2005, under the following conditions:

The defendant is to refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

The defendant is to submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance.

The defendant is to participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant failed to report for drug testing during the weeks of February 20, 2006, March 13 and 27, 2006; April 3 and 10, 2006; July 24, 2006; September 4, 2006; and October 2 and 16, 2006. She reported after business hours on November 8, 2006.

Since the date of her release on bond, the defendant has tested positive on multiple occasions. She was referred for inpatient treatment, and since her release from inpatient treatment on May 25, 2006, the defendant has tested positive for illegal drug use on July 7 and 12, 2006; on October 10 and 24, 2006; and on November 9, 2006.

PRAYING THAT THE COURT WILL ORDER A BOND REVIEW HEARING BE SCHEDULED TO ADDRESS THE DEFENDANT'S NONCOMPLIANCE. SAID BOND REVIEW HEARING WILL BE HELD BEFORE THE UNDERSTGNED ON THURSDAY, DECEMBER 7, 2006 AT 1:30 PM TN COURTROOM #3A, 3RD FLOOR, U.S. COURTHOUSE.

ORDER OF COURT

Considered and ordered this 17th day of Nov, 2006, and ordered filed and made a part of the records in the above case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed
on November 15, 2006

Rebecca Lewis
Rebecca Lewis
U.S. Pretrial Services/Probation Officer

Elaine M. Johnston
Elaine M. Johnston
Supervising U.S. Pretrial Services/Probation Officer
Place Pittsburgh, PA

Gary L. Lancaster
U.S. District Judge

CC: ALL COUNSEL
U.S. MARSHAL
U.S. PROBATION
U.S. PRETRIAL SERVICES